

LDG, Inc.,
Petitioner
ZRA 89

* PLANNING BOARD OF
* HOWARD COUNTY, MARYLAND

* * * * *

MOTION: To recommend approval of the proposal with modifications to amend Section 117.1.B of the Zoning Regulations to add alternative road access requirements for the BR Zoning District.

ACTION: *Recommended approval of Petition with modifications; Vote 4 to 0.*

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RECOMMENDATION

On September 20, 2007, the Planning Board of Howard County, Maryland, considered the petition of LDG, Inc. to amend Section 117.1.B of the Zoning Regulations to add alternative road access requirements for the BR zoning district.

The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation were presented to the Board for its consideration. The Department of Planning and Zoning recommended that the Petitioner's request be approved with modifications.

The Petitioner was represented by David Carney, Esq. No one appeared in opposition to the petition.

Mr. Carney said the proposal was being made in order that a certain property located on Livestock Road which cannot gain access to a ramp of I-70 but is within 400 feet a collector road may gain the access needed for development in conjunction with other parcels. He said the property is residentially zoned and surrounding parcels are zoned B-2 and POR. Mr. Carney explained that since the property has frontage only on a local road, access and potential development as a BR District is currently limited by the requirement of the BR District for frontage on a collector or arterial highway and that expanding the criteria of the BR District would facilitate the development of the property.

During the presentation, it was noted by Department of Planning and Zoning staff that the following language was recommended to substitute for that recommended in the Technical Staff Report:

Section 117.1.B (BR: Business Rural District)

B. Criteria

The BR District may be established at a particular location if the following criteria are met:

1. The proposed BR District is within the No Planned Service Area of the Howard County Water and Sewerage Master Plan.
2. The proposed BR District has safe road access and at least 60 feet of frontage on (A) a collector or arterial highway OR (B) A LOCAL ROAD PROVIDED THE SUBJECT PROPERTY ADJOINS A COLLECTOR OR ARTERIAL HIGHWAY AND THE LOCAL ROAD ACCESS POINT IS WITHIN 400 FEET OF THE COLLECTOR OR ARTERIAL HIGHWAY AND THERE ARE NO INTERVENING RESIDENTIAL PARCELS ON THE SAME SIDE OF THE LOCAL ROAD.
3. A BR District at the proposed location will be compatible with existing land uses in the vicinity of the site.

Motion:

David Grabowski made a motion to approve the petition in accordance with the recommendation of the DPZ Technical Staff Report and with the added modifications. Mr. Rosenbaum seconded the motion.

Discussion:

Mr. Grabowski said the access problem is compelling given the current laws prohibiting access to an arterial or collector highway if a property has frontage on a local road. Mr. Rosenbaum said the purpose of the BR District is to support agricultural/arming businesses and this amendment would support that purpose. Ms. Citara Manis agreed and said the language is narrow enough to affect only a limited number of properties.

Vote:

The motion for approval of the Petition in accordance with the recommendation of the DPZ Technical Staff Report and with the added modification passed by a vote of 4 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 4th day of October, 2007, recommends that the Petitioner's request to amend section 117.1.B of the Zoning Regulations to add a new section to amend Section 117.1.B of the Zoning Regulations

to add alternative road access requirements for the BR Zoning District, be APPROVED in accordance with the recommendation of the Technical Staff Report and with the added modification.

HOWARD COUNTY PLANNING BOARD

Tammy J. Citara Manis, Chairperson

Linda A. Dombrowski

David Grabowski

Gary Rosenbaum

Ramsey Alexander, Jr.

ATTEST:

Marsha S. McLaughlin
Executive Secretary